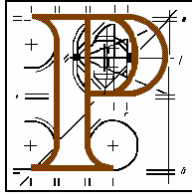


# An Bord Pleanála



## PLANNING AND DEVELOPMENT ACTS 2000 TO 2007

### Dublin City Council

**APPLICATION** by Dublin City Council for approval under section 175 of the Planning and Development Act 2000 to 2007 in accordance with plans and particulars, including an environmental impact statement, lodged with the Board on the 4<sup>th</sup> December, 2008.

**PROPOSED DEVELOPMENT:** North city arterial main, from Fairview Park to Sutton, including spur mains on the Hollybrook and Kilbarrack Roads and the Clontarf flood defences along the Clontarf Promenade, Dublin.

### DECISION

**APPROVE, subject to conditions, the proposed development based on the reasons and considerations set out under.**

### MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

### Reasons and Considerations

Having considered the report and recommendation of the person appointed by the Board to make a report and recommendation on the matter and also having regard to the Dublin City Council Development Plan 2005 – 2011, it is considered that subject to the conditions set out in this order, the proposed development:

- (i) represents an appropriate response to flooding risk in the area,
- (ii) would not seriously injure the visual amenities of the area,
- (iii) would not interfere to any significant extent with existing land uses in the area,
- (iv) would be acceptable in terms of traffic safety and convenience,

- (v) would not be likely to result in significant adverse effects on the local ecology or on the local environment as a whole, and
- (vi) would be in accordance with the proper planning and sustainable development of the area.

### CONDITIONS

1. The development shall be carried out in accordance with the plans and particulars lodged with the application and the further information submitted to the Board on 26<sup>th</sup> March, 2008, except as may otherwise be required in order to comply with the following conditions.

**Reason:** To ensure that the development as implemented shall be in accordance with the approval sought.

2. All excavations required for site development works shall be monitored by a suitably qualified archaeologist. If the Howth Tramline is uncovered, it shall be recorded and a representative section, including the rectangular cut stone blocks which made up the former road surface, shall be retained for future display in a relevant location. A report on the monitoring shall be submitted to the Heritage and Planning Division of the Department of the Environment and Local Government and shall be made available for public inspection at the offices of Dublin City Council.

**Reason:** To protect the archaeological heritage of the area.

3. All works associated with the laying of the proposed water pipeline/mains and the construction of the proposed flood defence earthen bund and concrete walls, including ground preparation works, ground and surface water drainage works, and reinstatement works, shall be carried out in accordance with the sequence and methodology for such works set out at chapter 3 of the environmental impact statement and the mitigation measures set out at chapter 16 of the environmental impact statement.

**Reason:** To provide a satisfactory standard of development and to protect the residential, visual and environmental amenities of the area.

4. All permanent and temporary landscaping and screening works including proposals for the protection, retention and/or replacement of existing planting, the grading of the earthen bunds, and the design and finish of the proposed flood walls, shall be carried out in accordance with the Landscape Plan drawing numbers 729/05/200 -207 accompanying the application and also in accordance with the landscape and visual mitigation measures set out at chapter 6.14 and chapter 16 of the environmental impact statement.

**Reason:** To protect the visual and environmental amenities of the area, including the foreshore.

5. Prior to the commencement of development a project ecologist shall be appointed by Dublin City Council to:
- (a) monitor impacts on the ecology of the area arising from the proposed development, including impacts on wintering wildfowl,
  - (b) monitor the appropriate implementation of the mitigation measures proposed at Ch.9 and Ch.16 of the E.I.S. including the duration of the seasonal restriction proposed on watermain construction works to be carried out at the South Bull Lagoon (Ch.38 to Ch.1600) as indicated on Drgs. 729/05/116 to 729/05/121 accompanying the application and Fig.9.3 of the E.I.S,
  - (c) monitor the provision and preparation of those alternative grassland areas for wildfowl identified in the E.I.S. and
  - (d) prepare a final ecological report, a copy of which shall be sent to the Department of Environment, Heritage, and Local Government and which shall be made available for public inspection at the offices of Dublin City Council.

**Reason:** To protect the ecological and environmental amenities of the area.

6. Access to the slipway for the Clontarf Yacht and Boat Club shall be maintained during the construction period.

**Reason:** To protect the amenities of the Clontarf Yacht and Boat Club.

7. A Traffic Management Plan shall be submitted for approval to Dublin City Council Traffic Section by the appointed contractor prior to the commencement of any construction works; the approved Plan shall be implemented and complied with during the construction period.

**Reason:** To ensure that adequate provision is made for satisfactory traffic control.

8. The appointed contractor shall prepare and implement an Environmental Management Plan to be approved by Dublin City Council prior to the commencement of construction; a Construction Waste Management Plan which shall include provision for the segregation, storage, and disposal of wastes, including hazardous construction wastes shall form part of the Environmental Management Plan.

**Reason:** To protect the environmental amenities of the area.

9. A 2.4 metre high painted timber panel hoarding shall be installed for the duration of the construction period within Fairview Park, along Alfie Byrne Road and to include the compound sites.

**Reason:** To screen the construction site and compounds from the public.

10. The individual section (of the four sections) of the Promenade being worked on shall be closed to the public with a 2.4 metre high painted timber panel hoarding constructed around the space and with footpath maintained along Clontarf Road.

**Reason:** To screen the construction section from the public.

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**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2008.**